

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated March 17, 2010 has been received and its contents carefully reviewed.

No claims are amended. Claims 9, 11, 16, 18, and 22 were previously canceled. Claims 1-8, 9, 10, 12-15, 17 and 19-21 are hereby canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 23-32 are hereby added. No new matter has been added. Accordingly, claims 23-32 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Claims 1-8, 12-15, 17 and 19-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0065824 to Kudo et al. (hereinafter “Kudo”) in view of U.S. Patent No. 6,108,093 to Rosner et al. (hereinafter “Rosner”). Office Action at p. 2, ¶ 4. The rejection of claims 1-8, 12-15, 17 and 19-21 is moot as claims 1-8, 12-15, 17 and 19-21 are canceled herein. However, as new claims 23-32 relate to similar features of now canceled claims 1-22, Applicants will address the 35 U.S.C. § 103(a) rejection with respect to these new claims.

Independent claim 23 is allowable over *Kudo* in view of *Rosner* in that claim 23 recites a combination of elements including, for example, “an interface module connected to a non-independent medium, ... comprising: a processor configured to perform network communication ... the network communication including a transmitting operation and a receiving operation; ... wherein the transmitting operation comprises: generating, at the network layer, a network layer protocol data unit (NPDU) ... the NPDU comprises an address of the interface module, ... wherein the receiving operation comprises: receiving a second signal through the non-independent medium; interpreting, at the processor, a home code of the second signal, the home code being used to solve problems relating to the use of the non-independent medium.” The cited references do not teach or suggest, at least, these features of claim 23.

Independent claim 28 is allowable over *Kudo* in view of *Rosner* in that claim 28 recites a combination of elements including, for example, “a method for managing data communication, the method performed by an interface module, ... the method comprising: performing a transmitting operation, wherein the transmitting operation comprises: generating, at the network

layer, an network layer protocol data unit (NPDU) ... the NPDU comprising ... a kind of a packet based on importance; ... performing a receiving operation, wherein the receiving operation comprises: receiving a second signal through the non-independent medium; interpreting, at the processor, a home code of the second signal, the home code being used to solve problems relating to the use of the non-independent medium.” For the same or similar reasons discussed regarding claim 23, Applicants respectfully assert that the cited references do not teach or suggest at least the above features of claim 28.

The Office asserts that *Kudo* discloses that “the appliance and the network manager each respectively comprise an interface (par. 34 and fig. 7 teaches a network controller 101 and appliance elements 102-107 having a plurality of interfaces to the networks).” *Office Action* at p. 3. Assuming, *arguendo*, that *Kudo* discloses an interface, *Kudo* is entirely silent regarding any teaching or suggestion concerning “an interface module connected to a non-independent medium, ... comprising: a processor configured to perform network communication ... the network communication including a transmitting operation and a receiving operation; ... wherein the transmitting operation comprises: generating, at the network layer, a network layer protocol data unit (NPDU) ... the NPDU comprises an address of the interface module, ... wherein the receiving operation comprises: receiving a second signal through the non-independent medium; interpreting, at the processor, a home code of the second signal, the home code being used to solve problems relating to the use of the non-independent medium,” as recited in independent claim 23.

Rosner fails to cure the deficiencies of *Kudo*. The Office purports that *Rosner* discloses “an interface apparatus (17).” *Office Action* at p. 3. *Kudo*, however, discloses a “monitor 17 [that] includes a CPU in the form of a microprocessor 35 connecting with a display driver 46 over rail 42 and with a keyboard controller 47 over rail 40 to provide external keypad and display facility.” *Rosner* at col. 2:47-50. Even if one of ordinary skill in the art construed *Rosner*’s display 17 as an interface apparatus, as suggested by the Office, *Rosner* still fails to teach or suggest “an interface module connected to a non-independent medium, ... comprising: a processor configured to perform network communication ... the network communication including a transmitting operation and a receiving operation; ... wherein the transmitting operation comprises: generating, at the network layer, a network layer protocol data unit (NPDU) ... the NPDU comprises an address of the interface module, ... wherein the receiving operation

comprises: receiving a second signal through the non-independent medium; interpreting, at the processor, a home code of the second signal, the home code being used to solve problems relating to the use of the non-independent medium,” as recited in independent claim 23.

For at least these reasons, Applicants respectfully submit that independent claims 23 and 28 are patentable over the cited references. Claims 24-27 depend from independent claim 23 and claims 29-32 depend from independent claim 28. It stands to reason that these claims are patentable over the cited references as well by virtue of their dependency from independent claims 23 and 28.

CONCLUSION

The application is in condition for allowance. Early and favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

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Respectfully submitted,

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